

REMARKS

Claims 3, 4, 15, 16, 27, and 28 have been withdrawn from consideration. Claims 6, 11, 12, 17, and 29 have been canceled. Claims 1, 2, 5, 7 to 10, 13, 14, 18 to 26, and 30 to 36 remain under consideration.

Claims 20, 22, 32, and 34 have been amended to overcome the objection to those claims relating to informalities.

Claims 1, 2, and 5 to 12 have been rejected under 35 USC 102(b) as being anticipated by US Patent No. 6,250,034 to Hulsey (hereinafter "Hulsey '034").

Claim 1 has been amended to include the limitations of claims 5 and 11 and claim 5 has been amended to make that claim independent and to include the limitations of claim 12. Claims 11 and 12 have been canceled and claims 2 and 6 to 10 depend from either amended claim 1 or amended claim 5.

Amended claim 1 defines a roof sheet membrane fastener assembly wherein the disk of the assembly: a) has a peripheral cutting means depending from an outer peripheral edge portion of the disk for at least weakening the topside release sheet to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane; and b) the peripheral cutting means of the disk has a depth and the roof sheet membrane fastener assembly is adapted to be used with a roof sheet membrane having a topside release sheet having a thickness greater than the depth of the peripheral cutting means whereby the peripheral cutting means scores the topside release sheet, without passing completely through the topside release sheet, to weaken the release sheet at the peripheral cutting means with no degradation of the performance of the roof sheet membrane, and the release sheet is easily separable at

the peripheral cutting means when the release sheet is removed from the roof sheet membrane.

Amended claim 5 defines a roof sheet membrane fastener assembly wherein the disk of the assembly: a) has a peripheral cutting means depending from an outer peripheral edge portion of the disk for at least weakening the topside release sheet to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane; and b) the peripheral cutting means of the disk has a depth and the roof sheet membrane fastener assembly is adapted to be used with a roof sheet membrane having a topside release sheet having a thickness substantially equal to the depth of the peripheral cutting means whereby the peripheral cutting means severs or substantially severs the topside release sheet at the peripheral cutting means with no or substantially no degradation of the performance of the roof sheet membrane and the release sheet is easily separable at the peripheral cutting means when the release sheet is removed from the roof sheet membrane.

Hulsey '034 discloses a membrane plate 10, which is used in conjunction with a fastener 16 to secure a membrane 62 to an underlying deck layer or layers. The membrane plate 10 has spaced apart lances 14, which help secure the membrane plate 10 to the membrane 62. There is no indication that the membrane plate 10 is to be used with a release sheet intermediate the plate 10 and the membrane 66 to facilitate the removal of the release sheet and the spaced apart lances 14 are spaced from each other and oriented so as to not promote the cutting or tearing of the membrane 62 (col. 4, lines 17 to 25).

Thus, Hulsey '034 fails to disclose or suggest roof sheet membrane fastener assemblies, such as those defined by amended claims 1 and 5, wherein a disk of the assembly has a peripheral cutting means for scoring (claim 1) or for severing or

substantially severing (claim 5) a topside release sheet overlaying the membrane to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane. In view of the amendments to claims 1 and 5 and for the reasons set forth above, the withdrawal of the rejection of claims 1 and 5 and the claims depending therefrom as being anticipated by Hulsey '034 and the allowance of independent claims 1 and 5 and dependent claims 2 and 6 to 10 is solicited.

Claims 13 and 14 have been rejected under 35 USC 102(b) as being anticipated by US Patent No. 6,233,889 to Hulsey (hereinafter "Hulsey '889"). Claim 13 has been amended to include the limitations of claim 17 and claim 14 depends from claim 13. Accordingly, the rejection of claims 13 and 14 will be discussed in connection with the rejection of claims 17 to 26 and 29 to 36.

Claims 17 to 26 and 29 to 36 have been rejected under 35 USC 103(a) as being unpatentable over US Patent No. 6,233,889 to Hulsey (hereinafter "Hulsey '889") in view of US Patent No. 6,250,034 to Hulsey (hereinafter "Hulsey '034").

Amended claim 13 defines a roof sheet membrane system wherein: a roof sheet membrane overlays a portion of a roof substrate and a topside major surface of the membrane is overlaid and covered by a topside release sheet. The roof sheet membrane is secured to the roof substrate by a plurality of mechanical fastener assemblies. Each of the mechanical fastener assemblies comprises a mechanical fastener passing through the topside release sheet and the roof sheet membrane and into the roof substrate to secure the roof sheet membrane to the roof substrate and a disk through which the mechanical fastener passes that contacts and overlays a portion of the topside release sheet of the roof sheet membrane that immediately surrounds the mechanical fastener for causing the portion of the topside release sheet overlaid by the disk to be easily separable from a remainder of the topside release sheet when the

topside release sheet is removed from the roof sheet membrane. The disk of each of the mechanical fastener assemblies has a peripheral separation means depending from an outer peripheral edge portion of the disk that at least weakens the topside release sheet to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane with no or substantially no degradation of the performance of the roof sheet membrane.

Hulsey '889 discloses a roof sheet membrane system wherein fastener assemblies, which each include a fastener 24 and a membrane plate 12, are used to secure a membrane 16A to one or more underlaying layers of a roofing system. Adhesive, preferably in the form of double sided adhesive tape 18 having a release paper 20 is applied over the fastener assemblies and not between the fastener assemblies and the membrane 16A to bond an overlying membrane 16B to the membrane 16A.

Hulsey '034 discloses a roof sheet membranes system wherein membrane plates 10 with fasteners 16 secure a membrane 62 to an underlying deck layer or layers. The membrane plates 10 have spaced apart lances 14, which help secure the membrane plates 10 to the membrane 62. There is no indication that the membrane plates 10 are to be used with a release sheet intermediate the plates 10 and the membrane 66 to facilitate the removal of the release sheet and the spaced apart lances 14 are spaced from each other and oriented so as to not promote the cutting or tearing of the membrane 62 (col. 4, lines 17 to 25).

Thus, unlike the roofing system of claim 13 and the claims depending therefrom, the roofing systems of Hulsey '889 and Hulsey '034: do not include a release sheet overlaying and covering a membrane; do not have fastener assemblies with fasteners penetrating any release sheet; do not have fastener assemblies with membrane plates

that overlay any portion of a release sheet that overlays and covers the membrane; and do not have membrane plates that have peripheral separation means depending from outer peripheral edge portions of the plates that at least weakens a topside release sheet to facilitate the separation of the portions of the topside release sheet overlaid by the plates from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane with no or substantially no degradation of the performance of the roof sheet membrane. In view of the amendments to claim 13 and for the reasons set forth above, the withdrawal of the rejection of claims 13 and the claims depending therefrom as being unpatentable over Hulsey '889 in view of Hulsey '034 and the allowance of independent claim 13 and dependent claims 14 and 18 to 24 is solicited.

Amended claim 25 defines a method of forming a roof sheet membrane system wherein: a portion of a roof substrate is overlaid with a roof sheet membrane and a topside major surface of the roof sheet membrane is overlaid and covered by a topside release sheet. The roof sheet membrane is secured to the roof substrate by a plurality of mechanical fastener assemblies. Each of the mechanical fastener assemblies comprises a mechanical fastener passing through the topside release sheet and the roof sheet membrane and into the roof substrate to secure the roof sheet membrane to the roof substrate and a disk through which the mechanical fastener passes that contacts and overlays a portion of the topside release sheet of the roof sheet membrane that immediately surrounds the mechanical fastener and causes the portion of the topside release sheet overlaid by the disk to be easily separable from a remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane. The disk of each of the mechanical fastener assemblies has a peripheral separation means depending from an outer peripheral edge portion of the disk that at least weakens the topside release sheet to facilitate the separation of the portion of the

topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane with no or substantially no degradation of the performance of the roof sheet membrane. The remainder of the topside release sheet is removed from the roof sheet membrane after the roof sheet membrane is secured to the roof deck by the plurality of mechanical fastener assemblies to apply an overlying roofing layer.

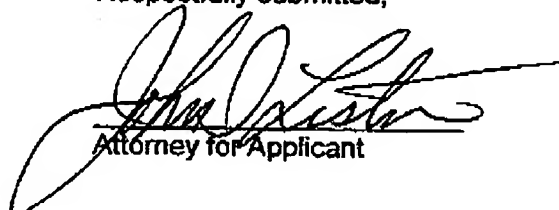
Hulsey '889 discloses a method of forming roof sheet membrane system wherein fastener assemblies, which each include a fastener 24 and a membrane plate 12, are used to secure a membrane 16A to one or more underlaying layers of a roofing system and adhesive, preferably in the form of double sided adhesive tape 18 having a release paper 20 is applied over the fastener assemblies and not between the fastener assemblies and the membrane 16A to bond an overlying membrane 16B to the membrane 16A.

Hulsey '034 discloses a method of forming a roof sheet membrane system wherein membrane plates 10 with fasteners 16 secure a membrane 62 to an underlying deck layer or layers. The membrane plates 10 have spaced apart lances 14, which help secure the membrane plates 10 to the membrane 62. There is no indication that the membrane plates 10 are to be used with a release sheet intermediate the plates 10 and the membrane 66 to facilitate the removal of the release sheet and the spaced apart lances 14 are spaced from each other and oriented so as to not promote the cutting or tearing of the membrane 62 (col. 4, lines 17 to 25).

Thus, unlike the method of forming a roofing system of claim 25 and the claims depending therefrom, the methods of forming roofing systems of Hulsey '889 and Hulsey '034: do not include overlaying a portion of a roof substrate with a membrane that is overlaid and covered with a release sheet; do not include securing the membrane with fastener assemblies having fasteners that penetrate such a release sheet; do not include

overlaying portions of a release sheet that overlays and covers the membrane with fastener assembly plates; do not include using membrane plates that have peripheral separation means depending from outer peripheral edge portions of the plates that at least weakens a topside release sheet to facilitate the separation of the portions of the topside release sheet overlaid by the plates from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane with no or substantially no degradation of the performance of the roof sheet membrane; and do not remove a release sheet from the membrane after the membrane is secured with fastener assemblies. In view of the amendments to claim 25 and for the reasons set forth above, the withdrawal of the rejection of claims 25 and the claims depending therefrom as being unpatentable over Hulsey '889 in view of Hulsey '034 and the allowance of independent claim 25 and dependent claims 26 and 30 to 36 is solicited.

Respectfully submitted,



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Claim 18 (currently amended): The roof sheet membrane system according to claim ~~47~~ 13, wherein:

the peripheral separation means comprises peripheral cutting means that at least partially cuts through the topside release sheet.

Claim 19 (original): The roof sheet membrane system according to claim 18, wherein:

the peripheral cutting means comprises a series of teeth that penetrate the topside release sheet.

Claim 20 (currently amended): The roof sheet membrane system according to claim 18, wherein:

the peripheral cutting means comprises an a peripheral cutting edge that penetrates the topside release sheet.

Claim 21 (original): The roof sheet membrane system according to claim 18, wherein:

the peripheral cutting means comprises a series of teeth that pass through the topside release sheet.

Claim 22 (currently amended): The roof sheet membrane system according to claim 18, wherein:

the peripheral cutting means comprises an a peripheral cutting edge that passes through the topside release sheet.

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Amended claim 1 defines a roof sheet membrane fastener assembly wherein the disk of the assembly: a) has a peripheral cutting means depending from an outer peripheral edge portion of the disk for at least weakening the topside release sheet to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane; and b) the peripheral cutting means of the disk has a depth and the roof sheet membrane fastener assembly is adapted to be used with a roof sheet membrane having a topside release sheet having a thickness greater than the depth of the peripheral cutting means whereby the peripheral cutting means scores the topside release sheet, without passing completely through the topside release sheet, to weaken the release sheet at the peripheral cutting means with no degradation of the performance of the roof sheet membrane, and the release sheet is easily separable at

the peripheral cutting means when the release sheet is removed from the roof sheet membrane.

Amended claim 5 defines a roof sheet membrane fastener assembly wherein the disk of the assembly: a) has a peripheral cutting means depending from an outer peripheral edge portion of the disk for at least weakening the topside release sheet to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane; and b) the peripheral cutting means of the disk has a depth and the roof sheet membrane fastener assembly is adapted to be used with a roof sheet membrane having a topside release sheet having a thickness substantially equal to the depth of the peripheral cutting means whereby the peripheral cutting means severs or substantially severs the topside release sheet at the peripheral cutting means with no or substantially no degradation of the performance of the roof sheet membrane and the release sheet is easily separable at the peripheral cutting means when the release sheet is removed from the roof sheet membrane.

Hulsey '034 discloses a membrane plate 10, which is used in conjunction with a fastener 16 to secure a membrane 62 to an underlying deck layer or layers. The membrane plate 10 has spaced apart lances 14, which help secure the membrane plate 10 to the membrane 62. There is no indication that the membrane plate 10 is to be used with a release sheet intermediate the plate 10 and the membrane 66 to facilitate the removal of the release sheet and the spaced apart lances 14 are spaced from each other and oriented so as to not promote the cutting or tearing of the membrane 62 (col. 4, lines 17 to 25).

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topside release sheet is removed from the roof sheet membrane. The disk of each of the mechanical fastener assemblies has a peripheral separation means depending from an outer peripheral edge portion of the disk that at least weakens the topside release sheet to facilitate the separation of the portion of the topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane with no or substantially no degradation of the performance of the roof sheet membrane.

Hulsey '889 discloses a roof sheet membrane system wherein fastener assemblies, which each include a fastener 24 and a membrane plate 12, are used to secure a membrane 16A to one or more underlaying layers of a roofing system. Adhesive, preferably in the form of double sided adhesive tape 18 having a release paper 20 is applied over the fastener assemblies and not between the fastener assemblies and the membrane 16A to bond an overlying membrane 16B to the membrane 16A.

Hulsey '034 discloses a roof sheet membranes system wherein membrane plates 10 with fasteners 16 secure a membrane 62 to an underlying deck layer or layers. The membrane plates 10 have spaced apart lances 14, which help secure the membrane plates 10 to the membrane 62. There is no indication that the membrane plates 10 are to be used with a release sheet intermediate the plates 10 and the membrane 66 to facilitate the removal of the release sheet and the spaced apart lances 14 are spaced from each other and oriented so as to not promote the cutting or tearing of the membrane 62 (col. 4, lines 17 to 25).

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Amended claim 25 defines a method of forming a roof sheet membrane system wherein: a portion of a roof substrate is overlaid with a roof sheet membrane and a topside major surface of the roof sheet membrane is overlaid and covered by a topside release sheet. The roof sheet membrane is secured to the roof substrate by a plurality of mechanical fastener assemblies. Each of the mechanical fastener assemblies comprises a mechanical fastener passing through the topside release sheet and the roof sheet membrane and into the roof substrate to secure the roof sheet membrane to the roof substrate and a disk through which the mechanical fastener passes that contacts and overlays a portion of the topside release sheet of the roof sheet membrane that immediately surrounds the mechanical fastener and causes the portion of the topside release sheet overlaid by the disk to be easily separable from a remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane. The disk of each of the mechanical fastener assemblies has a peripheral separation means depending from an outer peripheral edge portion of the disk that at least weakens the topside release sheet to facilitate the separation of the portion of the

topside release sheet overlaid by the disk from the remainder of the topside release sheet when the topside release sheet is removed from the roof sheet membrane with no or substantially no degradation of the performance of the roof sheet membrane. The remainder of the topside release sheet is removed from the roof sheet membrane after the roof sheet membrane is secured to the roof deck by the plurality of mechanical fastener assemblies to apply an overlying roofing layer.

Hulsey '889 discloses a method of forming roof sheet membrane system wherein fastener assemblies, which each include a fastener 24 and a membrane plate 12, are used to secure a membrane 16A to one or more underlaying layers of a roofing system and adhesive, preferably in the form of double sided adhesive tape 18 having a release paper 20 is applied over the fastener assemblies and not between the fastener assemblies and the membrane 16A to bond an overlying membrane 16B to the membrane 16A.

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